

REMARKS

The Examiner's recognition of Applicant's invention by the indication of allowable subject matter for claims 29, 35-39, 42 and 43 is gratefully acknowledged.

Claim 29 has been amended to clarify that the recited deformable reaction disc is formed of a deformable material and that movement of the assembly causes displacement of the deformable material into the region within the sleeve about the piston, as shown in Fig. 3 and in the related description.

Claim 40 has been amended similar to claim 29, and also to include the features of claims 41 and 42, now cancelled.

The dependency of claims 30, 31, 33, 34, and 43 has been corrected.

Objection to Specification

An objection was made to the disclosure in that the description of the displacement of the reaction disc did not match the drawings.

Applicant appreciates the time and effort taken by the Examiner to study the description and understand the present invention. In view of the amendments to Fig. 3 herein, it is believed that the text and drawings are now clear. Accordingly, it is requested that the objection be withdrawn.

Claim Rejection under 35 USC § 112

Claims 29-40 and 43-48 were rejected under 35 USC § 112 as indefinite. The

rejection points to language within the independent claims 29 and 43 regarding the deformation of the reaction disc in response to movement of the piston. The claims have been amended to more particularly point out that the reaction disc is formed of a deformable material that is displaced, in response to movement of the assembly, into the region within the sleeve about the piston.

Also, the rejection points to a mistake in the dependency of claims 30-34, which dependency has now been corrected.

The remaining claims were rejected as dependent upon rejected claims, but without additional grounds.

In view of the amendments, it is requested that the rejections under Section 112 be reconsidered and withdrawn.

Claim Rejection based upon Gautier

Claims 40, 44, 45, 47 and 48 were rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 5,012,723, issued to Gauthier in 1991.

Gautier shows a brake booster that includes a reaction disk 32 in Fig. 1. However, as seen in Fig.2, during actuation, the reaction disk is not deformed about piston 10. In contrast, in Applicant's braking force amplifier, the reaction disc is deformable into the region about the piston within the sleeve. Moreover, in Gautier, spring means 36 is located outside cover 26, whereas conical washer 90 in Applicant's amplifier is disposed within sleeve 90 between stop 88 and flat head 84, see Figs. 2 and 3. Claim 40 has been

amend to clarify the deformation of the reaction disc about the piston during movement of the assembly, and to include elastic means between and internal stop of the sleeve and the flat head. Thus, Gautier does not anticipate, or even suggest, Applicant's invention in claim 40.

Claims 44, 45, 47 and 48 are dependent upon claim 40 and are not taught or suggested by Gautier for the reasons set forth with regard to that claims.

Accordingly, it is respectfully requested that the rejection of the claims based upon Gautier be reconsidered and withdrawn, and that the claims be allowed.

Claim Rejection based upon Tsubouchi et al.

Claims 40, 45, 46, 47 and 48 were rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 5,683,147, issued to Tsubouchi et al. in 1997.

Tsubouchi et al. shows an apparatus that comprises a reaction disc 14 held within a disc retainer 16 against a flathead output rod 15, col. 14, lines 56-65, and col. 15, lines 3-11. Tsubouchi et al. does not show a piston within a sleeve, or displacement of the reaction disc about the piston within the sleeve during movement of the assembly, key features of Applicant's braking force amplifier recited in claim 40. Moreover, Tsubouchi et al. does not show a conical washer or other elastic means between the flat head and a stop on the sleeve, as called out in claim 40 as amended. Thus, Tsubouchi et al. does not

anticipate or suggest Applicant's braking force amplifier in claim 40, or in dependent claims 45-48.

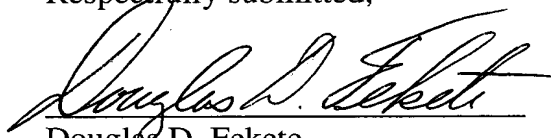
Accordingly, it is respectfully requested that the rejection of the claims based upon Tsubouchi et al. be reconsidered and withdrawn, and that the claims be allowed.

Conclusion

It is believed, in view of the amendments and remarks herein, that all grounds of rejection of the claims have been addressed and overcome, and that all claims are in condition for allowance. If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

A handwritten signature in cursive script, reading "Douglas D. Fekete", written over a horizontal line.

Douglas D. Fekete

Reg. No. 29,065

Delphi Technologies, Inc.

Legal Staff – M/C 480-410-202

P.O. Box 5052

Troy, Michigan 48007-5052

(248) 813-1210

AMENDMENTS TO THE DRAWINGS

Please substitute the enclosed two (2) sheet of drawings, showing Figs. 1, 2 and 3 and labeled “1/3” and “2/3” and “Replacement Sheet,” for the corresponding sheets presently in the case.

An objection was raised to the drawings, and particularly Fig. 3, in that the drawing do not clearly show displacement of material of reaction disc 96 into cavity 104 as a result of movement of plunger 22 and flat head 84. Fig. 3 has been amended to show these changes. The amendments do not add new matter, since, as the Examiner has pointed out, they merely correct the figure to depict that which is described in the specification.

With regard to Fig. 1, the “Prior Art” label, added in response to a prior objection, has been amended to improve legibility.

It is requested that the amended drawings be entered and the objections to the drawings be withdrawn.